

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

GARNET F. WEAVER,

Plaintiff,

v.

No. 02-CV-1397
(FJS/DRH)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

CONBOY, McKAY, BACHMAN &
KENDALL, LLP
Attorney for Plaintiff
407 Sherman Street
Watertown, New York 13601-9990

HON. GLENN T. SUDDABY
United States Attorney
for the Northern
District of New York
Attorney for Defendant
Post Office Box 7198
900 Federal Building
Syracuse, New York 13261-7198

OF COUNSEL

LAWRENCE D. HASSELER, ESQ.

WILLIAM H. PEASE, ESQ.
Assistant U.S. Attorney

FREDERICK J. SCULLIN, JR., C.D.J.:

DECISION AND ORDER

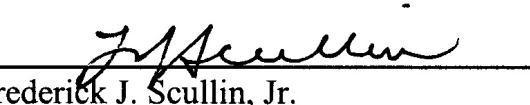
The above-captioned matter having been presented to me by the Report-Recommendation of Magistrate Judge David R. Homer filed December 16, 2005, and the Court having reviewed the Report-Recommendation and the entire file in this matter, and no objections to said Report-Recommendation having been filed, it is

hereby

ORDERED, that the decision denying disability benefits to the plaintiff is **REVERSED** and plaintiff's claim is **GRANTED**.

IT IS SO ORDERED.

DATED: January 17, 2006
Syracuse, New York



Frederick J. Scullin, Jr.
Chief United States District Court Judge